



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on August 15, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST 2001-10161

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: PROPAIR INC.

Date Filed: July 16, 2001

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct passenger and cargo charter operations between Canada and the United States, and other charter operations in accordance with 14 CFR Part 212, using small equipment (see below).

Applicant representative: Ron Tuggey, 819-762-0811

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: August 15, 2001

Effective dates of authority granted: August 15, 2001, through August 15, 2002.

Basis for approval (bilateral agreement/reciprocity): United States-Canada Air Transport Agreement

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Remarks: We find that the carrier is operationally and financially qualified to conduct the operations it proposes and that it is substantially owned and effectively controlled by citizens of Canada. Also, the FAA had advised us that it knows of no reason to withhold this operating authority. In the conduct of these operations, the carrier may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats or a maximum payload capacity of no more than 18,000 pounds. The above grant includes authority to conduct Third and Fourth Freedom charter operations. Charter operations to be conducted under this authority that would not operate between Canada and the United States, however, are subject to prior approval under 14 CFR Part 212.

Action taken by: Paul L. Gretch, Director, Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion. Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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